

REMARKS**Summary of the Office Action**

A new title of the invention is required because the previous title is allegedly “not descriptive.”

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by EP 1 017 058 to Yoshida et al. (hereinafter “Yoshida”).

Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

Applicants have amended the title of the invention. Applicants have amended claim 1 in order to differently describe an embodiment of the invention. Also, claims 2-5 have been rewritten in independent form in accordance with the Office Action’s indication of allowable subject matter. Accordingly, claims 1-5 remain pending.

Objection to the Title

A new title of the invention is required because the previous title is allegedly “not descriptive.” Accordingly, Applicants have amended the title as a new title in accordance with the Examiner’s requirement. Accordingly, withdrawal of the requirement for a new title is respectfully requested.

Rejections under 35 U.S.C. §102(b)

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshida. Applicants have amended claim 1 in order to differently describe an embodiment of the invention. To the

extent that this rejection might be reapplied to claim 1, as newly amended, it is respectfully traversed for at least the following reasons.

Applicants have newly-amended claim 1 to recite an information recording/reproducing apparatus combination that includes an “an auxiliary recording timing signal generator for generating a pulse signal having the same period as the block length by using a reference clock signal, and outputting the pulse signal as an auxiliary block signal.”

The newly recited “reference clock signal” is described, for example, at lines 1-4 of page 11. Moreover, as described in the subsequent portions of page 11, the PLL circuit 203 is capable of producing a clock pulse signal CK even during a period in which the sync pulse P_{SYNC} is not present. Furthermore, according to embodiments of the present invention, the auxiliary block signal BLK_s is produced by a relatively simple configuration, for example, by the combination of the PLL circuit 203 and the dividing counter 204, in the manner recited in claim 3.

Applicants respectfully submit that the above-described features of embodiments of the present invention are neither disclosed nor suggested in Yoshida for at least the following reasons.

Yoshida discloses an information recording apparatus having a configuration shown in Fig. 3. As shown in Fig. 3, the pre-pit detector 11 receives a detection signal Sp from the pickup 10, and extracts a signal corresponding to the prepits from the detection signal Sp , and outputs the same to the timing generator 12 and the prepit decoder 17 as a prepit signal Spp . The prepit decoder 17 decodes the inputted prepit signal Spp based on the clock signal Scl , generates an address signal Sat indicating the region on the DVD-R/W for recording one ECC block

(constituted by 16 recording sectors), and outputs the same to the CPU 14. See, for example, paragraphs [0063] – [0064] of Yoshida.

The clock signal Scl is produced in the wobble PLL section WP which receives the wobble detection signal Swp produced at the wobble detector 18. The clock signal Scl is also supplied to the phase modulation section EP and the frequency divider 35 which generates a wobble signal Sw supplied to the timing generator. See, for example, paragraphs [0074]-[0076] of Yoshida.

Applicants respectfully submit that the clock signal Scl supplied to the pre-pit decoder 17 is generated based on the wobble detection signal Swp that is detected from the pickup output signal. Moreover, with respect to the sync detector 96, which the Office Action applies as the claimed auxiliary recording timing signal generator, Applicants respectfully submit that the sync detector 96 of Yoshida detects the synchronization information SY of the recording information already recorded on the DVD-R/RW. See, for example, paragraph [0066] of Yoshida.

As a result, Applicants respectfully submit that Yoshida discloses the generation of various timing signals based on the detection signal of the synchronization information recorded on the recording medium. Accordingly, Yoshida does not teach, or even suggest, an information recording/reproducing apparatus combination that includes an “an auxiliary recording timing signal generator for generating a pulse signal having the same period as the block length by using a reference clock signal, and outputting the pulse signal as an auxiliary block signal” in the manner recited in newly-amended claim 1.

Accordingly, Applicants respectfully assert that the rejection of claim 1 under 35 U.S.C. § 102(b) should be withdrawn because Yoshida does not teach or suggest each feature of

independent claim 1, as amended. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)."

Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In accordance with the Office Action's indication of allowable subject matter, each of claims 2-5 have been amended to be placed in independent form by including the limitations of original claim 1. Accordingly, claims 2-5 are now in *prima-facie* condition for allowance. Withdrawal of the objection of these claims is thus respectfully requested.

CONCLUSION

In view of the foregoing, Applicants respectfully request withdrawal of the outstanding rejections and objections and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

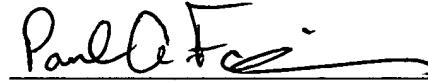
including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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